

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

SELWYN BROWN,)	
Plaintiff)	
)	2:05cv347
vs.)	Electronic Filing
)	
D.O.C. PA; J. BEARD; D. WILLIAMSON;)	Judge Cercone
S. BURKS; A.W. RUSS; E. KLEM; K.G.)	Magistrate Judge Hay
CHMIELEWSKI; T. HORNUNG; J.)	
CORBACIO; R. NOVOTNEY; P.)	
RAMER; CAPT. V. MOONEY; CAPT.)	
CLARK; LT. GAVIN; L.FLINO; T.D.)	
JACKSON; M. BRUNO; CAPT.)	
MUCCINO; LT. HAYWOOD; LT.)	
MEIGHEN; SGT. MITCHELL,)	
Defendants)	

ORDER OF COURT

AND NOW, this 29th day of March, 2006, after the plaintiff, Selwyn Brown, filed an action in the above-captioned case, and after a Motion to Dismiss was submitted by defendants, and after a Motion for Preliminary and Permanent Injunction was submitted by plaintiff, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the motions and the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that defendant's Motion to Dismiss is denied;

IT IS FURTHER ORDERED that plaintiff's Motion for Preliminary and Permanent Injunction is denied;

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.



DAVID STEWART CERCONE
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

Selwyn Brown
BV-5979
SCI Greene
175 Progress Drive
Waynesburg, PA 15370

Kemal Alexander Mericli, Esquire
Office of the Attorney General
6th Floor, Manor Complex
564 Forbes Avenue
Pittsburgh, PA 15219